

**BOWERS LAW OFFICE LLC**

Post Office Box 50549  
Columbia, South Carolina 29250

Phone: 803-260-4124

butch@butchbowers.com

March 18, 2014

Office of General Counsel,  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

RE: MUR 6783

Dear Mr. General Counsel:

On behalf of my clients Mr. Shalabh Kumar and Indian Americans for Freedom, please accept this letter as our official response to the above-referenced complaint filed by Mr. Scott Pierce ("Complainant"). This matter is confidential pursuant to 2 USC § 437g(a)(4)(B) and §437g(a)(12)(A) of the Federal Election Campaign Act ("Act").<sup>1</sup>

From the face of the complaint, it is clear that Complainant is relying on innuendo, conjecture, and half-truths to support his allegations. For example, Complainant alleges that Mr. Kumar "operates and manages" Indian Americans for Freedom. While Mr. Kumar was previously involved in the operations of Indian Americans for Freedom, this allegation is false as demonstrated by his resignation letter of May 15, 2013 and the screen capture from the organization's website confirming Mr. Kumar's resignation at Exhibit A.

Further, Complainant alleges that the Manju for Congress campaign is headquartered out of Mr. Kumar's offices, and that the campaign "has not reported any in-kind contributions for office space" from Mr. Kumar. While these statements are factually accurate, standing alone they fail to paint the whole picture and ignore the fact that the campaign has paid fair market rent to Autotech Technologies, which is owned by Mr. Kumar, for its rental of office space (See Exhibit B). As a result, there would be no reason for an in-kind contribution to be reported, and this allegation has no merit.

Moreover, Complainant asserts that "evidence" of coordination between the Manju for Congress campaign and Indian Americans for Freedom exists based on the departure of a campaign staffer to go work for the organization. Again, Complainant is selective with the facts and omits relevant information that undermines his allegations. In this instance, the staff person in question, Alka

<sup>1</sup> Based on the media coverage this complaint received after it was filed (See <http://illinoisreview.typepad.com/illinoisreview/2014/02/manju-goel-and-key-supporter-shalabh-kumar-accused-of-fec-violations.html>), it appears that Complainant has knowingly and willfully violated the confidentiality requirements of the Act and therefore must be fined not more than \$5,000 in accordance with 2 USC §437g(a)(12)(B).

Tyle, was never actually employed by the Campaign. Rather, she served as a campaign volunteer during the early stages of the campaign in September 2013, and after the Campaign hired a full-time campaign manager, her duties and responsibilities with the campaign were minimal. Moreover, after leaving the Campaign, Ms. Tyle took time off before joining Indian Americans for Freedom. Her use of a campaign email account to inform people of her departure was an inadvertent mistake. Nevertheless, Complainant's allegation proves nothing, other than the fact that Ms. Tyle did not go to work for Indian Americans for Freedom until she ended her volunteer service with the campaign. Therefore, as a matter of law, there was no coordination and this allegation is also without merit.

Complainant also alleges that Manju campaign staffers were paid, "on information and belief," by Mr. Kumar or by Indian Americans for Freedom. However, Complainant provides no proof to support this assertion, other than his rank speculation based on circumstantial evidence and false premises.

Finally, Complainant attempts to characterize Mr. Kumar's personal support for Ms. Manju's candidacy as proof of an FEC violation. However, he presents no facts to support his false and misleading allegations, other than Mr. Kumar's lawful contributions to the campaign and his lawful appearance at the candidate's campaign events.

Mr. Kumar has made no secret of his support for Ms. Manju's candidacy, but he has demonstrated this support solely in his capacity as a private citizen. Complainant's allegations hinge on his mistaken belief that Mr. Kumar operates and manages the Indian Americans for Freedom organization. As previously indicated, Mr. Kumar resigned from that organization in May of 2013, so his conduct as a private citizen exercising his constitutional rights cannot be attributed to Indian Americans for Freedom. Therefore, as a matter of law, there is no coordination between the Manju campaign and Indian Americans for Freedom, and there is no evidence of improper direct or in-kind contributions to the Manju campaign. Accordingly, for all of the reasons set forth herein, the complaint should be dismissed as to both Mr. Kumar and Indian Americans for Freedom.

If you have any questions or need additional information, please let me know.

Yours very truly,



Karl S. Bowers, Jr.

1  
7  
0  
4  
4  
4  
1  
2  
4  
2  
4

## EXHIBIT A

UNCLASSIFIED

**From the Office of  
Shalabh "Shalli" Kumar**

To:  
Board of Directors  
Indian Americans for Freedom  
Not for Profit Corporation

Dated: May 15<sup>th</sup>, 2013

Dear All,

As discussed, please be advised that effective today, I will no longer be involved in the affairs of Indian Americans for Freedom, Corporation due to my new responsibilities in various Republican/Conservative organizations in Washington, DC, now and contemplated in near future.

Please accept this as a formal resignation letter.

I am happy that Mr. Brij L. Sharma has agreed to be the new Chairman.



Best of Future,

*Shalabh Kumar 5/15/13*

Shalabh Kumar

17044412426

724221144477



# INDIAN AMERICANS FOR FREEDOM

Individual Liberty, Self-Reliance, Fiscal Discipline,  
Free Enterprise & Strong National Defence

[HOME](#) [ABOUT IAFF](#) [FOUNDERS](#) [PAST ACTIVITIES](#) [LEGISLATIVE CAMPAIGNS](#) [LATEST NEWS](#) [VIDEOS](#) [CONTACTS](#)

## IAFF Significant Activities

5/15/2013 -IAFF Chairman Mr. Shalabh (Shali) Kumar resigned as Chairman and Director of Indian Americans For Freedom to accept the position of Chairman of Indian American Advisory Council, House Republican Conference; US House of Representatives

12/25/2012 - IAFF Congratulates & Salutes Hon. Narendra Modi for his third term landslide election victory as Chief minister of Gujarat (Dec 20th 2012)

10/31/2012 - Daily Herald coverage of Indian Americans For Freedom .

### LATEST NEWS

IAFF Chairman Mr. Kumar meets Gujarat CM Narendra Modi in Vibrant Gujarat to congratulate him on his third term landslide Election Victory. - 1/3/2013 [Learn more.](#)

Cable TV Advertising for November 2012 General Elections

## EXHIBIT B

17044412428



Amount: \$3150.00 Date Posted: 01/13/2014  
Account Number: 5/3 BUSINESS STANDARD CHECKING CHECKING XXXXXX5626

MANJU FOR CONGRESS INC.  
P.O. BOX 83207  
CAROL STREAM, IL 60188

155

SIBC 12/28 2013 71-7080-718

PAY TO THE ORDER OF Autotech Technologies LP \$3150.<sup>00</sup>  
Three Thousand One Hundred Fifty only DOLLARS & 00/100

FIFTH THIRD BANK

Nov. 01-DEC 2013 Rent Interest Office

*Rajiv K. Bhat*

17044412429

**HB**

**HORAN & BARKER, P.C.**  
**CERTIFIED PUBLIC ACCOUNTANTS**

2444 East Kimberly Road  
Davenport, Iowa 52807

Phone (563) 359-8761  
Fax (563) 359-4407

P. Charles Horan, CPA  
Bill M. Barker, CPA

September 15, 2013

Shalabh Kumar  
Autotech Technologies, L.P.  
4140 Utica Ridge Road  
Bettendorf, IA 52722-1327

Dear Shalabh:

Pursuant to your request, I have researched the estimated value of the Carol Stream office space and services utilized by Manju for Congress as provided by Autotech Technologies, L.P. I was able to find several comparisons that include office space, conference room availability, and internet access. In addition, I have included a small monthly cost for special email utilization. It appears a monthly charge of \$1,050.00 would be appropriate.

If you should have any questions, please do not hesitate to contact me.

Sincerely,



Bill M. Barker, CPA  
HORAN BARKER & COLLINS, P.C.

BMB/jb  
Enclosure

17044412430



Enclosed is the response on behalf of my clients Shalabh Kumar and Indian Americans for Freedom referencing the above Complaint.

RECEIVED  
2014 MAR 18 PM 10:00  
OFFICE  
CCH

17044412431